

United States Senate
WASHINGTON, DC 20510

September 9, 2005

The Honorable Alberto Gonzales
Attorney General
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Attorney General Gonzales:

As the Judiciary Committee prepares for its hearings on the nomination of Judge John G. Roberts, Jr. to be Chief Justice of the United States, we urge you to immediately fulfill the narrow request made by our colleagues on the Judiciary Committee for documents related to 16 key cases on which Judge Roberts played a leadership role during his service as Principal Deputy Solicitor General.

Judge Roberts's limited judicial record makes it critical that we thoroughly examine the entirety of his legal work, particularly his experience in the Solicitor General's office, which is the other most recent, high-ranking and relevant position to his Supreme Court nomination. These 16 cases raise issues vital to the fundamental rights of all Americans, and would undoubtedly shed important light on Judge Roberts's judicial views and philosophy. We are particularly interested in those cases that could illuminate Judge Roberts's approach to civil rights, women's rights, the right to privacy, reproductive health care, and the environment.

Not only is there precedent for the disclosure of these documents – similar information was provided to the Senate when it considered the nominations of Justice William Rehnquist and Judge Robert Bork – but there is also a clear imperative. If we are going to fulfill our Constitutional duty to provide meaningful advice and consent on Judge Roberts's nomination, that consent must be informed, particularly because it concerns a lifetime appointment to be Chief Justice of the United States.

While working as a top political appointee at the Justice Department, Judge Roberts's client was not the Attorney General or the President; it was the people of the United States of America. All Americans expect us to thoroughly examine Judge Roberts's views, and the Constitution requires it. With so much at stake, refusing to disclose these documents raises serious concerns about whether the Administration is trying to hide something from the Senate and, more important, the American people.

We urge you to act immediately to release the requested documents to the Judiciary Committee before it begins Judge Roberts's confirmation hearings. Thank you for your cooperation with this request.

Sincerely,



Barbara A. Mikulski



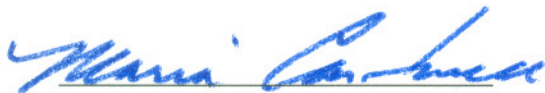
Barbara Boxer



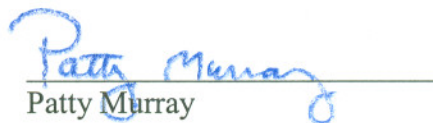
Hillary Rodham Clinton



Debbie Stabenow



Maria Cantwell



Patty Murray